

MESSAGE NO: 3189303 MESSAGE DATE: 07/08/2013

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: 78 FR 25945 FR CITE DATE: 05/03/2013

REFERENCE MESSAGE # 1259306, 3130303  
(s):

CASE #(s): A-570-891

EFFECTIVE DATE: 05/03/2013 COURT CASE #: 11-00370

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 07/02/2013

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping Duty Amended Scope Determination on Hand Trucks and Certain Parts Thereof from the People's Republic of China (A-570-891), MCK Magna Cart

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. On 09/06/2011, in response to a request by WelCom Products, Commerce issued a final scope ruling that the MCK Magna Cart is within the scope of the antidumping duty order covering hand trucks and certain parts thereof from the People's Republic of China (A-570-891) (see message number 1259306, dated 09/16/2011).

2. On 04/24/2013, the United States Court of International Trade sustained Commerce's final results of redetermination, which construed the scope of the order as excluding the MCK Magna Cart. Therefore, on 05/03/2013, Commerce published in the Federal Register "Hand Trucks and Certain Parts Thereof from the People's Republic of China: Notice of Court Decision Not in Harmony with Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision" (78 FR 25945) (see message number 3130303, dated 05/10/2013). On 06/24/2013, the opportunity to appeal passed with no parties filing an appeal.

3. For all entries of the MCK Magna Cart that remain unliquidated on or after 05/24/2004, CBP shall terminate suspension and liquidate the entries which were entered, or withdrawn from warehouse, for consumption.

4. Refund any cash deposits and release any bonds relating to the MCK Magna Cart referenced above.

5. These instructions constitute notice of the lifting of suspension of liquidation of entries of the MCK Magna Cart entered, or withdrawn from warehouse, for consumption on or after 05/24/2004.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the

required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of hand trucks and certain parts thereof from the People's Republic of China not covered by paragraph 3 above, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O7:SB.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party